

### **REMARKS/ARGUMENTS**

The Applicants have reviewed the Office Action dated July 19, 2006 and submit the following remarks. Claims 11-23 are pending in this application. Reexamination and reconsideration of this application is requested.

#### **Claim Rejections - under 35 USC § 103**

The Examiner rejected Claims 11-23 under 35 U.S.C. 103(a) as being unpatentable over Shapiro (US 5,705,980) in view of Wang et al (US 6,369,756). The Examiner recites 35 U.S.C. §103. The Statute expressly requires that obviousness or non-obviousness be determined for the claimed subject matter "as a whole," and the key to proper determination of the differences between the prior art and the present invention is giving full recognition to the invention "as a whole."

#### **Claims 11 and 16**

With regards to claims 11 and 16, the Applicants traverse the Examiner's assertion that the Shapiro reference discloses "identifying a set of wireless communications devices that satisfy at least one distance threshold." Office Action dated July 19, 2006, page 2, last paragraph, citing Shapiro, FIG. 1, column 4, lines 31-67 and column 6, line 29 through column 7, line 30. The Applicants assert that the cited portions of Shapiro are limited to determining "a security officer (i.e., a specific pager unit 40) that is closest to the signaling person 28." Shapiro, column 7, lines 17-19, emphasis added. Shapiro fails to teach or suggest, either alone or in combination with any other cited reference, any type of "distance threshold" or of "comparing each of the distances to at least one distance threshold." Shapiro operates only by comparing the determined distances to each other and finding the shortest distance, which corresponds to the closest unit, and sending the assistance order signal to that closest unit. Shapiro goes on to discuss determining the next closest officer or unit (Shapiro, column 7, lines 42-43), but this similarly only involves comparing the determined distances to each other. The Applicants assert that determining the next closest officer is in no way a teaching or

suggestion of “comparing each of the distances to at least one distance threshold” especially since the “distance threshold” is specified by these claims to be “stored within a list of preferences stored in a profile database.”

With further regards to claims 11 and 16, the Applicants traverse the Examiner’s assertion that the Shapiro reference teaches “sending, to the first wireless communications device, the respective location and an identifier of each wireless communications device within the set.” Office Action dated July 19, 2006, section 4, page 2, last paragraph, citing FIG. 1, col. 4, lines 31-67, and col. 6, line 29-col. 7, line 30. In considering the claimed invention “as a whole,” the first limitation must also be considered. The first limitation specifies “computing distances between a location of a first wireless communications device and a respective location of each of the at least one other wireless communications device.” The processing disclosed by the Shapiro reference clearly operates to determine distances between an “alarm unit 30” and the units of security officers in a protected area. See, Shapiro, column 6, lines 48-50, column 7, lines 13-19 and column 7, lines 39-45. Shapiro never teaches or suggests determining distances between the “security officers” (or their paging units 40).

The Applicants therefore assert it is clear that the “security officer’s” paging unit is not able to be analogized to the “first wireless communications device” of the claimed invention. The Applicants assert that the “first wireless communications device” of the claimed invention is only able to correspond to, at best, the “alarm unit 30” of Shapiro.

The Shapiro reference never teaches sending “the respective location and an identifier of each wireless communications device within the set” to the alarm unit 30. This information is only sent to the security officers. See, Shapiro, column 7, lines 22-29. Because the alarm unit 30 of Shapiro is the only element that might be analogized to the “first wireless communications device” of the presently claimed invention, the Applicants assert that the Shapiro reference does not teach the “sending” limitation of claims 11 and 16, particularly when the invention is considered “as a whole.”

The Applicants further traverse the Examiner's assertion that Wang discloses "at least one distance threshold stored within a list of preferences stored in profile database in association with the first wireless communications device." Office action dated July 19, 2006, page 3, second paragraph, citing Wang, FIG. 2, column 5, line 61 through column 6, line 18. The Wang reference, including the cited portions, teaches comparing distances to a predetermined distance threshold." Wang, column 6, lines 4-5. Wang goes on to state "Among factors considered in determining a predetermined distance threshold are the average speed of communication units in the sector and the obstructions existing in the sector." Wang, column 6, lines 6-9. The Applicants assert that the teaching of Wang is limited to comparing distances to a predetermined distance threshold that is not associated to the particular "communication unit 110" of Wang. The Applicants assert that the distance threshold of Wang is not taught or suggested to be stored in association with "the first wireless communication device" as is defined by the presently claimed invention. As discussed above, the "first wireless communications device" cannot be analogized to a base station transceiver of Wang. The Applicants assert that the "distance threshold" of Wang is not "stored within a list of preferences stored in a profile database in association with the first wireless communications device" as is recited by claims 11 and 16.

The Applicants assert that the Shapiro and Wang reference, taken either alone or in combination with any other cited reference, fails to teach or suggest a "distance threshold" as is specified in the context of independent claims 11 and 16. The Applicants further assert that these references, taken either alone or in any combination, fails to teach or suggest either the "comparing" or the "sending" limitations of claims 11 and 16, particularly when the claimed invention is considered as a whole. The Applicants therefore respectfully submit that the rejection of claims 11 and 16 should be withdrawn.

For reasons similar to those discussed above, the cited references, taken either alone or in any combination with one another, fail to teach or suggest either the

“comparing” and the “sending” limitation of independent claims 13, 14 and 17.

#### Claim 19

With regards to claim 19, the Applicants fail to see where Shapiro discloses storing locations in a “location database.” The Examiner apparently cites PROM 94 as the “location database.” Office Action dated July 19, 2006, page 4, third paragraph, referring to figure item 94, as shown in FIG. 4 of Shapiro. The Applicants point out that PROM is an acronym for “Programmable Read Only Memory.” PROMs are well known in the art for use in storing very infrequently changed information. The Shapiro reference teaches storing information in PROM 94 that includes “the identity (e.g., name) of each person to be protected by the system” and the user’s identity can be stored along with “the unique digital code assigned to the alarm unit 30 carried by the person.” Shapiro, column 4, lines 24-27. Shapiro also teaches that “information relating to the identities of the officers assigned to protect the areas 26 can also be entered into PROM 94.” Shapiro, column 4, lines 35-38. The Applicants point out that the items that Shapiro teaches as being stored in PROM 94 are constant or change very infrequently, as is consistent with data usually stored in a PROM. The Applicants assert that storing constantly changing data, such as a device’s location, in a PROM would be impractical and is not encompassed by the teachings of Shapiro.

With further regards to claim 19, the Applicants point out that Shapiro never teaches or suggests storing any location data in a “location database.” Shapiro teaches determining the location of units in response to triggers, such as determining the location of an alarm unit 30 or units carried by security officers 40 in response to receiving an emergency signal. Shapiro, column 6, lines 29-50 and column 7, lines 5-20. No type of “location database” as is currently specified by claim 19, when considered as a whole, is taught or suggested by either the Shapiro or Wang references, taken either alone or in any combination with each other or the other cited references.

### Claim 20

With regards to claim 20, the cited portion of Shapiro describes the design of the identification data generation circuits and the RF transmission circuits of the alarm unit 30 and the RF receiver circuitry of the relay station 32. Office Action dated July 19, 2006, page 4, 4<sup>th</sup> paragraph, citing Shapiro, col. 3, lines 22-65.

With regards to the “receiving ... a section of a selected wireless communications device” limitation of claim 20, the Applicants assert that the Shapiro reference fails to teach or suggest “the selected wireless communications device” as that is defined by claim 20, particularly when considered “as a whole.” The Applicants point out that “the set” recited in claim 20 corresponds to the “set of wireless communications devices that satisfy the at least one distance threshold,” which was identified in the “identifying” limitation of claim 11. The “sending” limitation of claim 11, which is referred to in the “receiving” limitation of claim 20, further references this “set.”

As understood by the Applicants, the Examiner is analogizing the “set” of claim 11 to the nearest “security officer” of Shapiro, since the security officer’s unit is the receiver of the location and identification information. Shapiro, column 7, lines 20-26. The Applicants assert that the Shapiro reference, taken either alone or in combination with the other cited prior art references, fails to teach or suggest any “selection” being made from this “set.” The “set,” as asserted by the Examiner, is the sole security officer that is closest to the alarm unit. There is no teaching or suggestion in Shapiro of making any further selection from within this “set.” Since this “set” only has one element, making a selection would make no sense.

Furthermore, the Applicants point out that as presently claimed for the present invention, this “selection” is “in response to the step of sending,” which is defined in claim 11 as “sending, to the first wireless communication device, the respective location and an identifier of each wireless communications device within the set.” The Applicants assert that the Shapiro reference, taken either alone or in combination with the other cited

references, fails to teach or suggest receiving anything in response to the sending of data to any wireless device and clearly cannot teach or suggest this limitation. Furthermore, as discussed above, the Applicants traverse the assertion that the Shapiro reference teaches or suggests sending this data to “the first wireless communications device” as that device is defined by the claims when considered “as a whole.”

Claim 20 further recites “initiating, in response to the step of receiving, communications between the first wireless communications device and the selected wireless communications device.”

To begin, the Applicants fail to see where the Shapiro reference ever teaches initiating communications between an “alarm unit 30” and “the selected wireless communications device” within the meaning of a “selected wireless device” as defined by claim 20, when considered as a whole and considering the other limitations of claims 20 and 11, from which claim 20 depends. As discussed above, the “set” consists of the sole security officer closes to the alarm unit. The “selected wireless communications device” must also be selected from this set of one. The alarm unit 30 of Shapiro only communicates with the “station” and the station then sends data regarding the alarm unit 30 to the nearest security officer. See, e.g., Shapiro, Abstract. The Applicants fail to identify a teaching or suggestion by the Shapiro reference, taken either alone or in any combination with any of any other cited references, of any type of communications between the alarm unit 30 and the security officer units 40. Further, the Applicants assert that there is no teaching or suggestion of any such communications “in response to the step of receiving,” as is set forth by claim 20.

The Applicants further assert that the relay station of Shapiro cannot be a teaching of the selected wireless communications device. The Applicants assert that since the “selected wireless communications device” is selected “from within the set,” the relay station of Shapiro cannot be analogized to either of the wireless communications devices in the “initiating” limitation.

As discussed above, independent claims 11, 14, and 17 distinguish over the cited references. Claims 12, 15, and 18-23 depend from one of independent claims 11, 14 and 17. Since dependent claims contain all of the limitations of the independent claims, claims 12, 15, 18-23 also distinguish over the cited references, taken alone and/or in any combination, for at least those reasons as well. The Applicants respectfully submit that the pending claims are in condition for allowance, and that the Examiner's rejection under 35 U. S. C. §103(a) should be withdrawn.

#### **Conclusion**

The foregoing is submitted as full and complete response to the Official Action mailed July 19, 2006, and it is submitted that Claims 11-23 are in condition for allowance. Reconsideration of the rejection is requested. Allowance of Claims 11-23 is earnestly solicited.

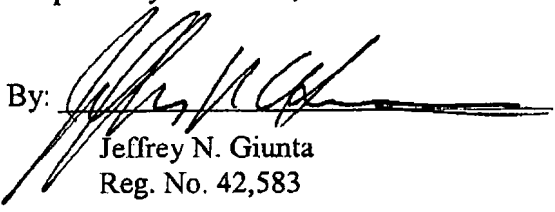
**If the Examiner believes that there are any informalities that can be corrected by Examiner's amendment, or that in any way it would help expedite the prosecution of the patent application, a telephone call to the undersigned at (561) 989-9811 is respectfully solicited.**

In view of the preceding discussion, it is submitted that the claims are in condition for allowance. Reconsideration and re-examination is requested.

Respectfully submitted,

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By:

  
Jeffrey N. Giunta  
Reg. No. 42,583